

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

BERNARD PRICE

PLAINTIFF

V.

CIVIL ACTION NO. 2:08-cv-262-WAP-DAS

TUNICA COUNTY, MISSISSIPPI, ET AL

DEFENDANTS

ORDER

This matter is before the court on motion of the plaintiff to compel responses to interrogatories and requests for production (#40). After considering the motion, the response, and oral argument, the court finds as follows:

1. Interrogatory Number 1, noted in plaintiff's Motion is insufficiently answered. Defendants are hereby ordered to produce photographs, to the extent that they are available, of inmates incarcerated in Pod 3 with the plaintiff during the dates of plaintiff's incarceration. These photos must be supplemented to Plaintiff by Wednesday November 25, 2009. The defendant shall also provide information concerning any jailer no longer employed by the defendant.
2. The grievance forms described in interrogatory eight have been provided. At the hearing, plaintiff's counsel asked that he be allowed to examine the documents at the defendant's office. However, because defense counsel explained on the record that all of the documents had been provided, the court will not order that the same documents be produced for examination at Tunica County's office.
3. To the extent that any documents concerning the internal affairs investigation into this matter have not been disclosed, the defense is to supplement those immediately, or as they become known.
4. While, it is not the responsibility of the defense to investigate for the plaintiff, where

information is easily accessible to the defendant that would satisfy further interrogatories propounded by the plaintiff, the defense is expected to supplement its answers.

Furthermore, Tunica County shall in no way impede the discovery of any public information by the plaintiff or plaintiff's counsel.

5. The remaining motions to compel responses to interrogatories at issue were satisfied or dismissed at the hearing held on November 18, 2009.

IT IS, THEREFORE, ORDERED that the plaintiff's motion to compel is **GRANTED** in part. The defendant is hereby ordered to provide sufficient responses to the discovery requests detailed in this Order. Each party will bear its own cost.

SO ORDERED this 20th day of November 2009.

/s/David A. Sanders
U.S. MAGISTRATE JUDGE